

30114. Adulteration of lobster tails. U. S. v. 25 Boxes of Lobster Tails. Default decree of condemnation and destruction. (F. & D. No. 44562. Sample No. 34359-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original packages at the time of examination, was found to be in whole or in part decomposed.

On December 21, 1938, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 25 boxes of lobster tails; alleging that the article was in possession of a storage warehouse at Washington, D. C., stored for the account of Harford Import & Export Co., of New York, N. Y.; and was being offered for sale in the District of Columbia; and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Captail Brand, 57 Tails, Langouste * * * Product of the Union of South Africa."

Adulteration was alleged in that the article consisted in whole or in part of a decomposed animal substance.

On January 14, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30115. Adulteration of flour. U. S. v. 400 Sacks of Flour. Default decree of condemnation and destruction. (F. & D. No. 44110. Sample No. 30671-D.)

This product which had been shipped in interstate commerce and remained unsold and in the original unbroken packages at the time of examination, was found to be insect-infested.

On October 10, 1938, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 400 sacks of flour at El Paso, Tex.; alleging that the article had been shipped on or about February 9, 1938, by Lamar Flour Mills from Lamar, Colo.; and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On December 13, 1938, no claimant having appeared, judgment of condemnation was ordered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30116. Adulteration of flour. U. S. v. 120 Bags of Flour. Default decree of condemnation and destruction. (F. & D. No. 44471. Sample No. 50205-D.)

This product, which had been shipped in interstate commerce and remained unsold and in the original package at the time of examination, was found to be insect-infested.

On December 5, 1938, the United States attorney for the Southern District of Alabama, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 120 bags of flour at Selma, Ala.; alleging that the article had been shipped within the period from on or about April 5, 1938, to on or about August 31, 1938, by the Cleveland Milling Co. from Cleveland, Tenn.; and charging adulteration in violation of the Food and Drugs Act. The article was labeled: "Bleached Elberta Patent Flour."

Adulteration was alleged in that the article consisted wholly or in part of a filthy vegetable substance.

On January 12, 1939, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

30117. Misbranding of canned peas. U. S. v. 1,735 Cases of Peas. Consent decree of condemnation. Product released under bond conditioned that substandard portion be relabeled. (F. & D. No. 43928. Sample No. 24384-D.)

A portion of this product was substandard because the peas were not immature, and it was not labeled to indicate that it was substandard.

On September 21, 1938, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 1,735 cases of canned peas at Cleveland, Ohio; alleging that the article had been shipped in interstate commerce on or about July 13, 1938, by Phillips Sales Co. from Newark,